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PCT/EP2004/003492

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Re Section IV.

The different inventions/groups of inventions are:

1-3, 5-7, 9-13, 15-17 (if not dependent from Claims 4, 8, 14)  
drive and its housing  
4, 8 (if exclusively dependent from Claim 1)  
type of motor and sensor  
14 (if exclusively dependent from Claim 1)  
modulation of information

For the following reasons, these inventions/groups are not connected in such manner, that they implement a single, generally inventive idea (Rule 13.1 PCT) :

The three groups of claims are neither interconnected by a common inventive idea (Rule 13 (1) PCT), nor do they have special, common technical features, which define a contribution of each claimed invention as a whole over the related art (Rule 13 (2) PCT). The reasons are as follows:

The subject matter of independent Claim 1 is not novel in the sense of Rule 33 (2) PCT and therefore does not contain any special technical features.

Document DE 199 13 833 (D1) discloses a compact drive (column 4, line 43), including at least an electric motor, a transmission (column 3, lines 35-38), and a frequency converter (column 4, lines 22-23, 37-38),

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wherein the output shaft of the transmission and the rotor shaft are positioned in parallel to each other, and the shaft-center distance of at least one transmission stage is determined (Fig. 1, 2; "reduction gear" 7 is a transmission stage).

The subject matter of Claim 1 is not novel (Rule 33 (2) PCT) and consequently does not include any special technical features.

It should be pointed out that the proof of no special technical features in Claim 1 may also be deduced from document EP 1 049 234 (D2), e.g. Figures 3, 5, 7, 9.

The remaining claims dependent from the unnovel Claim 1 contain three inventions, which neither possess common, special technical features, nor are interconnected by a common inventive idea:

**Invention 1:**

Special technical feature (Claim 3): The transmission stage is designed as a variable transmission.

**Invention 2:**

Special technical feature (Claim 4): The electric motor is a synchronous motor and/or a permanent-magnet motor.

**Invention 3:**

Special technical feature (Claim 14): The compact drive includes at least an electronic circuit for modulating or demodulating information upon [onto] the load leads.

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Therefore, the three inventions do not contain any common, special technical features (Rule 13 (2) PCT).

If one examines the claims in view of common features relating to a technical effect, one determines that the following technical effects occur for the individual inventions:

Invention 1: continuously variable transmission.

Invention 2: high-output motor.

Invention 3: data transmission without additional connecting lines.

The more compact design of a drive can be seen as a common technical effect of inventions 1-3. However, this effect is known to one skilled in the art. Therefore, inventions 1-3 are not interconnected by a single inventive idea (Rule 13.1 PCT).

**Re Section V.**

1.

Reference is made to the following documents in the present action:

D1 = DE 199 13 833

D2 = EP 1 049 234

D3 = EP 1 231 701

D4 = EP 0 993 098

D5 = US 3 149 499

2.

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The present invention does not satisfy the requirements of Article 33 (1) PCT, because the subject matter of Claim 1 is not novel in the spirit of Article 33 (2) PCT. (See Section IV)

3.

Independent Claims 2, 3, 5-7, 9-13, 15-17 can also not be regarded as novel or inventive (Rule 33 (2), (3) PCT).

Claim 2: D1, column 3, line 38, Fig. 1.

Claim 3: D1 and D4, Fig. 1.

Claim 5: D1, no. 17, Fig. 3, 4.

Claim 6: D1 and D3, Fig. 1, no. 10, 10'

Claim 7: D1, Fig. 1, 2, 4; column 3, line 61 through column 4, line 30

Claim 9: D1 and D3, Fig. 1.

Claim 10: D1 and D3, Fig. 1, no. 10.

Claim 11: D1 and D5, Fig. 3, no. 46; column 3, lines 34-35.

Claim 12: D1, Fig. 1, no. 9, 10, 11.

Claim 13: Using D1 as a starting point, it is obvious for one skilled in the art to modify the connection to provide connection terminals on the housing.

Claim 15: D1 and D3, Fig. 8. The cooling fins allow water to drain off.

Claim 16: It is trivial that the transfer of heat through cooling fins is greater than that through smooth surfaces.

Claim 17: D1 and D3. In D3, Fig. 8, there is obviously a flow of conducted heat from drive circuit (420) to the ambient air, via both the cooling fins on the right side of it and a planar region of the housing (530). More heat is dissipated by the cooling fins (see above).